

UNITED STATES DISTRICT COURT

DISTRICT OF

SOUTH CAROLINA

UNITED STATES OF AMERICA
v.
GERALD ALLEN STEWARD
FEDERAL BUREAU OF INVESTIGATION

CRIMINAL COMPLAINT

Case Number: 3:08-239

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 3/9/08 in RICHLAND County, in the SOUTH CAROLINA District of defendant(s) did,

(Track Statutory Language of Offense)

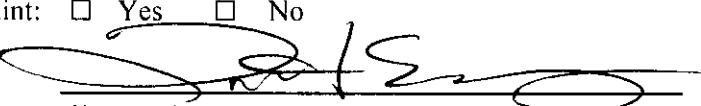
With the intent to defraud, passes, utters, presents, offers, brokers, issues, sells or attempts or causes the same, or with like intent possesses, within the United States. Knowingly possess with intent to use unlawfully or transfer unlawfully five or more identification documents (other than those issued lawfully for the use of the possessor), authentication features, or false identification documents.

in violation of Title 18 United States Code, Section(s) 514(a)(2) and U.S.C. § 1028(a)(3).

I further state that I am a(n) Special Agent with USSS and that this complaint is based on the following facts:

See attached Affidavit

Continued on the attached sheet and made a part of this complaint: Yes No


Signature of Complainant

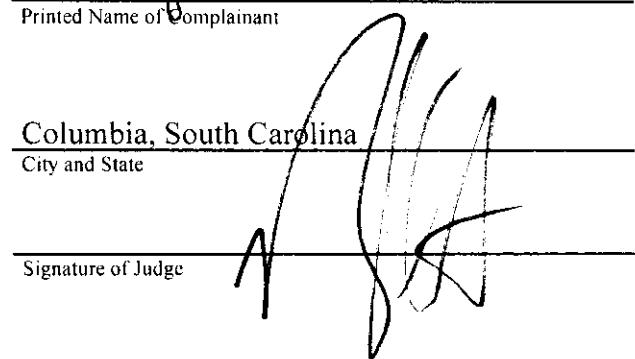
Tracy A. Evans
Printed Name of Complainant

Sworn to before me and signed in my presence,

March 14, 2008
Date

at

Columbia, South Carolina
City and State


Signature of Judge

Bristow Marchant United States Magistrate Judge
Name and Title of Judge

AFFIDAVIT

Tracy Evans, being first duly sworn, hereby states as follows:

1. Your affiant is a Special Agent with the United States Secret Service, Columbia Field Office and has been employed in this capacity since 06/25/2007. Your affiant's responsibilities include the investigations of counterfeiting of U.S. currency; counterfeiting of foreign currency (occurring domestically); identity crimes such as access device fraud, identity theft, false identification fraud, bank fraud and check fraud; telemarketing fraud; telecommunications fraud (cellular and hard wire); computer fraud and counterfeit, fictitious or fraudulent commercial instruments and foreign securities as mandated under Title 18 of the United States Code, Section 3056.
2. On 03/06/2008, an unknown subject forged a \$600.00 check for the fraudulent purchase of two \$300.00 Belk gift cards from the Belk's Department Store located in Greenwood, SC. The stolen check was from the personal bank account of an individual living in Columbia, South Carolina.
3. Belk Loss Prevention personnel provided a still photograph of the subject who passed the stolen check. The subject in the photo is described as a short black male, heavy set, wearing a dress shirt, tie and black fedora hat. This subject was with an unknown black female of similar height.
4. On 03/07/08, Belk's Regional Loss Prevention Manager placed a hold on the two gift cards.
5. On 03/09/08, an unknown subject attempted to use one of the gift cards at the Belk's Department Store located in the Dutch Square Mall, Columbia, S.C. The gift card was declined. Department store surveillance video captured the attempted card usage. The unknown subject at this Belk's Department Store was not the same person who fraudulently purchased the gift card at the Belk's in Greenwood, SC. After the card was declined the subject paid for the items with cash.

6. On 03/10/08, a subject who identified himself as Samuel Edward Jackson called Belk's and stated that he had received a gift card that did not work and wanted to have the card reissued. The card in question was one of the cards fraudulently purchased in Greenwood on 03/06/08. The subject provided Belk's with his phone number (803)348-0526.

7. Investigation revealed that telephone number (803)348-0526 is a cellular phone issued by AT & T Wireless. Historical records provided by AT & T Wireless for phone number (803)348-0526 revealed a high frequency of use in the area of Broad River Road and Interstate 20.

8. On 03/13/08, Secret Service agents began to canvas hotels in that specific area. SA Brian Kirby, received information from personnel at the Economy Inn, 1029 Briargate Circle, Columbia, SC, that a customer by the name of Tina Jackson was staying at the hotel. Surveillance was initiated at the Economy Inn.

9. While conducting surveillance at the Economy Inn, a Black Jaguar driven by an unknown black female, with South Carolina registration 373-RYB pulled in front of room 158 at the Economy Inn and picked up a black male wearing a black Fedora hat with a white band around it. The male subject was wearing a cream colored shirt and black pants. The build and dress of the subject closely matched the description of the subject in the Greenwood Belk's surveillance photographs.

10. Agents of this office followed the Jaguar as it pulled out of the Economy Inn parking lot and on to Broad River Road. After approximately 8-9 miles in heavy traffic the operator made several hazardous and or illegal driving maneuvers. A traffic stop was initiated.

11. After identifying themselves as Agents of the United States Secret Service, the agents asked the occupants of the Jaguar for their identification. The driver of the vehicle produced South Carolina Drivers Licenses number 011269576 with the name of Charlene East, 1739 Sapling Dr. Columbia, SC 29210, 11/21/57. The passenger of the vehicle produced South Carolina Identification number 004797753, with the name of Gerald Allen Steward, 11/01/1950.

12. While agents conducted a brief identification interview of the occupants another agent called cell phone number (803) 348-0526. The cell phone in Gerald Steward's possession began to ring. After the agents confirmed the cell phone belonged to Gerald Steward, a written voluntary consent to search the vehicle was obtained from the driver, Charlene East.

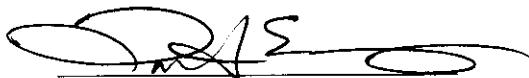
13. Agents told the subjects that they were the focus of a criminal investigation involving fraudulently obtained Belk Gift cards, at that point the driver of the vehicle retrieved three Belk Gift Cards from her purse and handed them to ATSAIC James Ramicone. The consent search of the vehicle produced the stolen check book that belonged to the same individual mentioned in paragraph 2, two stolen South Carolina identification documents and over ten counterfeit and or fictitious commercial checks.

14. Voluntary written consent was also given by both Charlene East and Gerald Steward for agents to search room 158, located at the Economy Inn on Briargate Circle. A search of the room, which was rented by Charlene East and occupied by Gerald Allen Steward produced over 12 false or stolen identification documents and additional counterfeit and/or fictitious commercial checks.

15. In support of this application, I submit that probable cause exists for the arrest of Gerald Allen Steward for violations of Title 18 USC 514 (a) (2) and USC 1028 (a) (3).

This affidavit and the facts therein have been approved by AUSA Nancy Wicker.

Signature of Affiant



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